

variations of reading in excess of negligible tolerances of one-fifth of a degree, plus or minus. The instrument—having been properly made and seasoned—is correct and should not change with age * * *.”

DISPOSITION: May 24, 1951. Default decrees of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

3474. Misbranding of Braska tablets. U. S. v. 30 Dozen Bottles, etc. (F. D. C. No. 30861. Sample No. 32273-L.)

LIBEL FILED: March 26, 1951, Southern District of Illinois.

ALLEGED SHIPMENT: On or about February 5, 1951, by National Package Drugs, Inc., from St. Louis, Mo.

PRODUCT: 30 dozen bottles of *Braska tablets* at Alton, Ill., together with a number of display cartons and paper bags.

LABEL, IN PART: “Braska Tablets Each tablet contains * * * 1½ gr. Phenacetin, Manganese and Magnesium Salicylates, Salicylamide, Camphor Mono Bromated, Caffeine.”

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article, namely, the display cartons and the paper bags reading “Arthritis,” contained statements which represented and suggested that the article was an adequate and effective remedy for arthritis. These statements were false and misleading since the article was not an adequate and effective remedy for arthritis.

DISPOSITION: April 18, 1951. Default decree of condemnation and destruction.

3475. Misbranding of Massengill powder. U. S. v. 1,365 Jars * * *. (F. D. C. No. 30934. Sample No. 12203-L.)

LIBEL FILED: April 20, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about December 12, 1950, and January 15, February 15, and March 16, 1951, by the S. E. Massengill Co., from Bristol, Tenn.-Va.

PRODUCT: 551 3-ounce jars, 563 6-ounce jars, and 251 1-pound jars of *Massengill powder* at Cincinnati, Ohio. Analysis showed that the product consisted essentially of boric acid, alum, and carbolic acid.

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement “It is suggested as an application for soft, spongy, and bleeding gums” contained in the circular entitled “Massengill Powder” enclosed with the article was false and misleading. The statement represented and suggested that the article was an adequate and effective treatment for pyorrhea, whereas it was not an adequate and effective treatment for pyorrhea.

Further misbranding, Section 502 (a), the following statements in the above-mentioned circular were false and misleading since the article was not effective for the purposes stated and implied: “* * * Deodorizing the vaginal secretions * * * Maintaining the normal acidity of the vaginal tract * * * Many medical authorities agree that such cleansing, two or three times a week, serves a useful purpose * * * for deodorizing * * * for helping to maintain normal vaginal acidity * * * For maintaining normal acidity of the genital tract. Most of the disease-producing organisms which may affect the vagina cannot survive when the medium in which they live becomes sufficiently acid. Nature attempts to keep the vagina

*See also Nos. 3467, 3469-3473.